

# Calendar No. 582

117TH CONGRESS  
2D SESSION

# H. R. 3544

[Report No. 117-224]

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IN THE SENATE OF THE UNITED STATES

JULY 13, 2022

Received; read twice and referred to the Committee on Homeland Security and Governmental Affairs

DECEMBER 5, 2022

Reported by Mr. PETERS, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italic]

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## AN ACT

To require the Administrator of General Services to transfer certain surplus computers and technology equipment to nonprofit computer refurbishers for repair, distribution, and return, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Computers for Vet-  
5       erans and Students Act of 2022” or the “COVS Act”.

1   **SEC. 2. FINDINGS.**

2       Congress finds the following:

3           (1) Access to computers and computer technology is indispensable for success in the 21st century. Millions of Americans do not regularly use a computer and research shows that substantial disparities remain in both internet use and the quality of access with the digital divide concentrated among older, less educated, less affluent populations, especially veterans, low-income students, and senior citizens.

12           (2) The COVID-19 pandemic has highlighted the gap between those with computer access and those without. Millions of students, their families, and workers from across the economy were unable to do schoolwork, work remotely from home, or connect to loved ones and their communities because of the digital divide.

19           (3) Any Federal program that distributes surplus Federal computers to a public school, an educational nonprofit, or a nonprofit computer refurbisher for repair and distribution would benefit from a partnership with a nonprofit organization, whose mission is bridging the digital divide.

1   **SEC. 3. REFURBISHMENT AND DISTRIBUTION OF SURPLUS**

2                   **COMPUTERS AND TECHNOLOGY EQUIPMENT.**

3                   (a) **GSA TRANSFER.**

4                   (1) **IN GENERAL.**—Not later than 30 days after  
5   State agencies for surplus property have been given  
6   an opportunity to review surplus computer or tech-  
7   nology equipment that has been determined to be re-  
8   pairable, the **Administrator** shall transfer to partici-  
9   pating nonprofit computer refurbishers such equip-  
10   ment with full title to such equipment, for repair  
11   and distribution in accordance with subsection  
12   (e)(1).

13                  (2) **INFORMATION ON EQUIPMENT REFUR-  
14   BISHED.**—A nonprofit computer refurbisher that re-  
15   ceives surplus computer or technology equipment  
16   under this subsection shall provide the **Adminis-  
17   trator** with any information the **Administrator** deter-  
18   mines to be necessary for required reporting, includ-  
19   ing information about the distribution of such equip-  
20   ment.

21                  (b) **PARTNERSHIP.**—The **Administrator** may estab-  
22   lish a partnership with non-governmental entities, at no  
23   cost, to—

24                  (1) facilitate the identification of nonprofit com-  
25   puter refurbishers and the distribution of surplus

1 computer or technology equipment under this sec-  
2 tion; and

3 (2) facilitate the participation of nonprofit com-  
4 puter refurbishers under this section.

5 (e) **REPAIR AND DISTRIBUTION.—**

6 (1) **DISTRIBUTION TO BRIDGE THE DIGITAL DI-**  
7 **VIDE.—**A nonprofit computer refurbisher that re-  
8 ceives equipment under subsection (a) shall repair  
9 and distribute such equipment to an educational in-  
10 stitution, a veteran, an individual with a disability,  
11 a low-income individual, a student, or a senior in  
12 need that is residing or based in the United States.

13 (2) **TRAINING PROGRAMS.—**Any nonprofit com-  
14 puter refurbisher that receives any equipment under  
15 subsection (a) shall offer training programs on the  
16 use of computers and technology equipment for any  
17 of the following:

18 (A) Educational institutions.

19 (B) Veterans.

20 (C) Individuals with disabilities.

21 (D) Low-income individuals.

22 (E) Students.

23 (F) Seniors.

24 (d) **REPORTS REQUIRED.—**Not later than 1 year  
25 after the date of the enactment of this Act, and every 2

1 years thereafter for the next 4 years, the Administrator  
2 shall submit to Congress a report on the efforts of the  
3 Administrator under this Act.

4       (e) AGENCY REPORTS.—Not later than 5 years after  
5 the date of the enactment of this Act, and annually there-  
6 after, the head of each Federal agency shall make a report  
7 available to the public on the number of repairable com-  
8 puters that were sent to recycling, abandoned, or de-  
9 stroyed.

10      (f) RULE OF CONSTRUCTION.—Nothing in this sec-  
11 tion may be construed to supersede the requirements of  
12 the Stevenson-Wydler Technology Innovation Act of 1980  
13 (Public Law 96-480; 15 U.S.C. 3701 et seq.).

14      (g) DEFINITIONS.—In this section:

15           (1) ADMINISTRATOR.—The term “Adminis-  
16 trator” means the Administrator of General Serv-  
17 ies.

18           (2) DIGITAL DIVIDE.—The term “digital di-  
19 vide” means the gap between those who have an  
20 internet-connected computer and the skills to use the  
21 computer and those who do not.

22           (3) EDUCATIONAL INSTITUTION.—The term  
23 “educational institution” means—

24                  (A) any public or private child care center,  
25 preschool, elementary school, secondary school,

1           accredited institution of vocational or profes-  
2           sional education, or institution of higher edu-  
3           cation;

4           (B) in the case of an accredited institution  
5           of vocational or professional education or an in-  
6           stitution of higher education composed of more  
7           than one school, college, or department that is  
8           administratively a separate unit, each such  
9           school, college, or department; and

10           (C) a home school (whether treated as a  
11           home school or a private school for purposes of  
12           applicable State law).

13           (4) FEDERAL AGENCY.—The term “Federal  
14           agency” has the meaning given the term “federal  
15           agency” in section 102 of title 40, United States  
16           Code.

17           (5) DISABILITY.—The term “disability” has the  
18           meaning given that term in section 3 of the Ameri-  
19           cans with Disabilities Act of 1990 (42 U.S.C.  
20           12102).

21           (6) INSTITUTION OF HIGHER EDUCATION.—The  
22           term “institution of higher education” has the  
23           meaning given that term in section 101 of the High-  
24           er Education Act of 1965 (20 U.S.C. 1001).

1                   (7) LOW-INCOME INDIVIDUALS.—The term “low  
2 income individual” has the meaning given such term  
3 in section 351 of the Small Business Investment Act  
4 of 1958 (15 U.S.C. 689).

5                   (8) NONPROFIT COMPUTER REFURBISHER.—  
6 The term “nonprofit computer refurbisher” means a  
7 nonprofit organization that primarily works to im-  
8 prove access to information and communication  
9 technology in their mission to bridge the digital di-  
10 vide.

11                  (9) NONPROFIT ORGANIZATION.—The term  
12 “nonprofit organization” means an organization that  
13 is described under section 501(c)(3) of the Internal  
14 Revenue Code of 1986 and is exempt from taxation  
15 under section 501(a) of such Code.

16                  (10) REPAIRABLE.—The term “repairable”  
17 means property that is unusable in its current state  
18 but can be economically repaired.

19                  (11) SECONDARY SCHOOL.—The term “sec-  
20 ondary school” has the meaning given such term in  
21 section 8101 of the Elementary and Secondary Edu-  
22 cation Act of 1965.

23                  (12) SENIOR.—The term “senior” means an in-  
24 dividual who is 65 years of age or older.

1                   (13) SENIOR IN NEED.—The term “senior in  
2       need” means a senior who experiences cultural, so-  
3       cial, or geographical isolation that—

4                   (A) restricts the ability of the senior to  
5       perform normal daily tasks; or

6                   (B) threatens the capacity of the senior to  
7       live independently.

8                   (14) STATE AGENCY FOR SURPLUS PROP-  
9       ERTY.—The term “State agency for surplus prop-  
10      erty” has the meaning given the term “state agen-  
11      cy” under section 549 of title 40, United States  
12      Code.

13                  (15) STUDENT.—The term “student” means  
14       any individual enrolled in an educational institution,  
15       but not a public or private child care center.

16                  (16) SURPLUS COMPUTER OR TECHNOLOGY  
17       EQUIPMENT.—The term “surplus computer or tech-  
18       nology equipment” means computer or technology  
19       equipment that is property described under section  
20       549(b)(2) of title 40, United States Code.

21                  (17) TECHNOLOGY EQUIPMENT.—The term  
22       “technology equipment” means any physical asset  
23       related to a computer or information technology, in-  
24       cluding any peripheral component, tablet, commu-  
25       nication device (such as a router, server, or cell

1 phone), printer, scanner, uninterruptible power  
2 source, eable, or connection.

3 (18) VETERAN.—The term “veteran” has the  
4 meaning given that term in section 101 of title 38,  
5 United States Code.

6 (h) REGULATIONS.—The Administrator may issue  
7 regulations that are necessary and appropriate to imple-  
8 ment this section.

9 **SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.**

10 The budgetary effects of this Act, for the purpose of  
11 complying with the Statutory Pay-As-You-Go Act of 2010,  
12 shall be determined by reference to the latest statement  
13 titled “Budgetary Effects of PAYGO Legislation” for this  
14 Act, submitted for printing in the Congressional Record  
15 by the Chairman of the House Budget Committee, pro-  
16 vided that such statement has been submitted prior to the  
17 vote on passage.

18 **SECTION 1. SHORT TITLE.**

19 *This Act may be cited as the “Computers for Veterans  
20 and Students Act of 2022” or the “COVS Act”.*

21 **SEC. 2. FINDINGS.**

22 *Congress finds the following:*

23 *(1) Access to computers and computer technology  
24 is indispensable for success in the 21st century. Mil-  
25 lions of Americans do not regularly use a computer*

1 and research shows that substantial disparities re-  
2 main in both internet use and the quality of access,  
3 with the digital divide concentrated among older, less  
4 educated, less affluent populations, especially vet-  
5 erans, low-income students, and senior citizens.

(2) *The COVID-19 pandemic has highlighted the gap between those with computer access and those without. Millions of students, their families, and workers from across the economy were unable to do schoolwork, work remotely from home, or connect to loved ones and their communities because of the digital divide.*

13                   (3) Any Federal program that distributes sur-  
14 plus, repairable Federal computers or technology  
15 equipment would benefit from a partnership with a  
16 nonprofit organization whose mission is bridging the  
17 digital divide.

**18 SEC. 3. REFURBISHMENT AND DISTRIBUTION OF SURPLUS  
19 COMPUTERS AND TECHNOLOGY EQUIPMENT.**

20       (a) IN GENERAL.—Subchapter III of chapter 5 of title  
21 40, United States Code, is amended by inserting after sec-  
22 tion 549 the following:

1   **“§ 549a. Donation of personal property through non-**  
2                   ***profit refurbishers***

3       “(a) *AUTHORIZATION.*—Not later than 30 days after  
4   the date on which the Administrator provides State agencies  
5   for surplus property an opportunity to review surplus com-  
6   puter or technology equipment under section 549, the Ad-  
7   ministrator shall, as appropriate, transfer full title to such  
8   surplus computer or technology equipment that is deter-  
9   mined to be eligible under subsection (b)(1) to nonprofit  
10   computer refurbishers for repair, distribution, and subse-  
11   quent transfer of full title of the equipment to eligible recipi-  
12   ents under this section.

13       “(b) *ELIGIBILITY, PARTICIPATION, AND DUTIES.*—

14           “(1) *ELIGIBILITY.*—Surplus computer or tech-  
15   nology equipment is eligible for transfer under this  
16   section if a Federal agency determines that—

17              “(A) the surplus computer or technology  
18   equipment is repairable; and

19              “(B) the surplus computer or technology  
20   equipment meets the Guidelines for Media Sani-  
21   tization issued by the National Institute of  
22   Standards and Technology (NIST Special Publi-  
23   cation 800–88), or any successor thereto.

24           “(2) *PARTICIPATION.*—The Administrator may  
25   establish partnerships with nongovernmental entities,  
26   at no cost and through cooperative agreements, to fa-

1       cilitate the identification and participation of non-  
2       profit computer refurbishers under this section.

3           “(3) DUTIES OF REFURBISHERS.—A nonprofit  
4       computer refurbisher that receives surplus computer  
5       or technology equipment under this section shall—

6              “(A) make necessary repairs to restore the  
7       surplus computer or technology equipment to  
8       working order;

9              “(B) distribute the repaired surplus com-  
10       puter or technology equipment to eligible recipi-  
11       ents at no cost, except to the extent—

12                  “(i) necessary to facilitate shipping  
13       and handling of such equipment; and

14                  “(ii) that such cost is consistent with  
15       any regulations promulgated by the Admin-  
16       istrator under subsection (d);

17              “(C) offer training programs on the use of  
18       the repaired computers and technology equip-  
19       ment for the recipients of the equipment; and

20              “(D) use recyclers to the maximum extent  
21       practicable in the event that surplus computer or  
22       technology equipment transferred under this sec-  
23       tion cannot be repaired or reused.

24           “(c) REPORTING REQUIREMENTS.—

1           “(1) *REFURBISHER REPORTS.*—A nonprofit  
2 computer refurbisher that receives surplus computer  
3 or technology equipment under this section shall pro-  
4 vide the Administrator with any information the Ad-  
5 ministrator determines to be necessary for required  
6 reporting—

7                 “(A) including information about the dis-  
8 tribution of such equipment; and

9                 “(B) which shall not include any personal  
10 identifying information about the recipient of  
11 such equipment apart from whether a recipient  
12 is an educational institution, individual with  
13 disabilities, low-income individual, student, sen-  
14 ior in need, or veteran for the purposes of eligi-  
15 bility under this section.

16           “(2) *ADMINISTRATOR REPORTS.*—Annually and  
17 consistent with reporting requirements for transfers of  
18 Federal personal property to non-Federal entities, the  
19 Administrator shall submit to Congress and make  
20 publicly available a report that includes, for the pe-  
21 riod covered by the report—

22                 “(A) a description of the efforts of the Ad-  
23 ministrator under this section;

1               “(B) a list of nongovernmental entities with  
2 which the Administrator had a partnership de-  
3 scribed in subsection (b)(2);

4               “(C) a list of nonprofit computer refur-  
5 bishers that received, made repairs to, and dis-  
6 tributed surplus computer and technology equip-  
7 ment, including disclosure of any foreign owner-  
8 ship interest in a nonprofit computer refur-  
9 bisher; and

10             “(D) a list of donated and subsequently re-  
11 paired surplus computer or technology equip-  
12 ment identifying—

13              “(i) the Federal agency that donated  
14 the surplus computer or technology equip-  
15 ment;

16              “(ii) the State and county (or similar  
17 unit of local government) where the recipi-  
18 ent is located; and

19              “(iii) whether the recipient is an edu-  
20 cational institution, individual with dis-  
21 abilities, low-income individual, student,  
22 senior in need, or veteran.

23              “(3) AGENCY REPORTS.—Not later than 5 years  
24 after the date of enactment of this section, and annu-  
25 ally thereafter, the head of each Federal agency shall

1       *make publicly available a report on the number of*  
2       *pieces of repairable surplus computer or technology*  
3       *equipment that were sent to recycling, abandoned, or*  
4       *destroyed.*

5       “(d) REGULATIONS.—*The Administrator shall issue*  
6       *regulations that are necessary and appropriate to imple-*  
7       *ment this section, including—*

8           “(1) *allowing nonprofit computer refurbishers to*  
9       *assess nominal fees (which shall not exceed fair mar-*  
10      *ket value) on recipients of refurbished surplus com-*  
11      *puter or technology equipment to facilitate shipping*  
12      *and handling of the surplus computer or technology*  
13      *equipment;*

14          “(2) *determining, in coordination with other rel-*  
15       *evant Federal agencies, eligibility and certification*  
16       *requirements for nongovernmental entities and non-*  
17       *profit computer refurbishers to participate in the pro-*  
18       *gram established under this section, including whether*  
19       *the participation of a nongovernmental entity or non-*  
20       *profit computer refurbisher poses any actual or poten-*  
21       *tial harm to the national security interests of the*  
22       *United States;*

23          “(3) *establishing an efficient process for identi-*  
24       *fying eligible recipients; and*

1           “(4) determining appropriate recyclers to dispose  
2       of surplus computer or technology equipment if it  
3       cannot be repaired or refurbished under this section.

4           “(e) JUDICIAL REVIEW.—Nothing in this section shall  
5       be construed to create any substantive or procedural right  
6       or benefit enforceable by law by a party against the United  
7       States, its agencies, its officers, or its employees.

8           “(f) RULE OF CONSTRUCTION.—Nothing in this sec-  
9       tion may be construed to supersede the requirements of the  
10      Stevenson-Wydler Technology Innovation Act of 1980 (Pub-  
11      lic Law 96–480; 15 U.S.C. 3701 et seq.).

12          “(g) DEFINITIONS.—In this section:

13           “(1) ADMINISTRATOR.—The term ‘Adminis-  
14       trator’ means the Administrator of General Services.

15           “(2) DIGITAL DIVIDE.—The term ‘digital divide’  
16       means the gap between those who have an internet-  
17       connected computer and the skills to use the computer  
18       and those who do not.

19           “(3) DISABILITY.—The term ‘disability’ has the  
20       meaning given that term in section 3 of the Ameri-  
21       cans with Disabilities Act of 1990 (42 U.S.C. 12102).

22           “(4) EDUCATIONAL INSTITUTION.—The term  
23       ‘educational institution’ means—

24           “(A) any public or private child care cen-  
25       ter, preschool, elementary school, secondary

1           *school, accredited institution of vocational or*  
2           *professional education, or institution of higher*  
3           *education;*

4           “*(B) in the case of an accredited institution*  
5           *of vocational or professional education or an in-*  
6           *stitution of higher education composed of more*  
7           *than 1 school, college, or department that is ad-*  
8           *ministratively a separate unit, each such school,*  
9           *college, or department; and*

10          “*(C) a home school (whether treated as a*  
11          *home school or private school for the purposes of*  
12          *applicable State law).*

13          “(5) *ELIGIBLE RECIPIENT.*—The term ‘eligible

14          *recipient’ means an educational institution, indi-*  
15          *vidual with a disability, low-income individual, stu-*  
16          *dent, senior in need, or veteran that is residing or*  
17          *based in the United States.*

18          “(6) *INSTITUTION OF HIGHER EDUCATION.*—The

19          *term ‘institution of higher education’ has the meaning*  
20          *given that term in section 101 of the Higher Edu-*  
21          *cation Act of 1965 (20 U.S.C. 1001).*

22          “(7) *LOW-INCOME INDIVIDUAL.*—The term ‘low-  
23          *income individual’ has the meaning given that term*  
24          *in section 351 of the Small Business Investment Act*  
25          *of 1958 (15 U.S.C. 689).*

1           “(8) *NONGOVERNMENTAL ENTITY.*—The term  
2       ‘nongovernmental entity’ means an organization or  
3       group of organizations that—

4           “(A) are not part of a Federal, State, local,  
5       Tribal, or territorial government; and

6           “(B) are nonprofit computer refurbishers or  
7       other industry participants that—

8           “(i) primarily work to improve access  
9       to information and communication tech-  
10      nology in their mission to bridge the digital  
11      divide through coordination and oversight  
12      of computer refurbishment and repair; and

13           “(ii) operate in the United States.

14           “(9) *NONPROFIT COMPUTER REFURBISHER.*—

15       The term ‘nonprofit computer refurbisher’ means a  
16       nonprofit organization that—

17           “(A) primarily works to improve access to  
18       information and communication technology in  
19       their mission to bridge the digital divide; and

20           “(B) operates in the United States.

21           “(10) *NONPROFIT ORGANIZATION.*—The term  
22       ‘nonprofit organization’ means an organization that  
23       is described under section 501(c)(3) of the Internal  
24       Revenue Code of 1986 and is exempt from taxation  
25       under section 501(a) of such Code.

1           “(11) *REPAIRABLE*.—The term ‘repairable’  
2       means property that is unusable in its current state  
3       but can be economically repaired.

4           “(12) *SECONDARY SCHOOL*.—The term ‘sec-  
5       ondary school’ has the meaning given that term in  
6       section 8101 of the Elementary and Secondary Edu-  
7       cation Act of 1965 (20 U.S.C. 7801).

8           “(13) *SENIOR*.—The term ‘senior’ means an in-  
9       dividual who is 65 years of age or older.

10          “(14) *SENIOR IN NEED*.—The term ‘senior in  
11       need’ means a senior who experiences cultural, social,  
12       or geographical isolation that—

13           “(A) restricts the ability of the senior to  
14       perform normal daily tasks; or

15           “(B) threatens the capacity of the senior to  
16       live independently.

17          “(15) *STATE AGENCY FOR SURPLUS PROPERTY*.—The term ‘State agency for surplus property’  
18       has the meaning given the term ‘state agency’ under  
19       section 549(a).

21          “(16) *STUDENT*.—The term ‘student’ means any  
22       individual enrolled in an educational institution, but  
23       not a public or private child care center.

24          “(17) *SURPLUS COMPUTER OR TECHNOLOGY EQUIPMENT*.—The term ‘surplus computer or tech-

1       *nology equipment' means computer or technology*  
2       *equipment that is property described under section*  
3       *549(b)(2).*

4       “(18) *TECHNOLOGY EQUIPMENT.*—The term  
5       ‘technology equipment’ means any physical asset re-  
6       lated to a computer or information technology, in-  
7       cluding any peripheral component, tablet, commu-  
8       nication device (such as a router, server, or cell  
9       phone), printer, scanner, uninterruptible power  
10      source, cable, or connection.

11      “(19) *VETERAN.*—The term ‘veteran’ has the  
12      meaning given that term in section 101 of title 38.”.

13      (b) *CONFORMING AMENDMENT.*—The table of sections  
14      for chapter 5 of title 40, United States Code, is amended  
15      by inserting after the item relating to section 549 the fol-  
16      lowing:

“549a. *Donation of personal property through nonprofit refurbishers.*”.

17 **SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.**

18      The budgetary effects of this Act, for the purpose of  
19      complying with the Statutory Pay-As-You-Go-Act of 2010,  
20      shall be determined by reference to the latest statement titled  
21      “Budgetary Effects of PAYGO Legislation” for this Act,  
22      submitted for printing in the Congressional Record by the  
23      Chairman of the Senate Budget Committee, provided that  
24      such statement has been submitted prior to the vote on pas-  
25      sage.

Amend the title so as to read: “An Act to authorize the Administrator of General Services to transfer certain surplus computers and technology equipment to nonprofit computer refurbishers for repair and distribution, and for other purposes.”.

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DECEMBER 5, 2022

Reported with an amendment and an amendment to the title